



**Islamic Republic Of Afghanistan
Kabul Municipality**



ANTI-CORRUPTION POLICY
DEPARTMENT OF HUMAN RESOURCES

H.E Mohammad Yunus Nawandish

Signature:_____



Islamic Republic Of Afghanistan

Kabul Municipality



1. Purpose and Objective

One of the fundamental principles in Kabul Municipality is a zero tolerance position in relation to corruption, wherever and in whatever form that may be encountered. The purpose of this Policy is to ensure compliance by all employees, officers and directors of the Kabul Municipality, and its subsidiaries and affiliates, with the related national anti-corruption laws.

2. Scope

This Policy applies to Kabul Municipality (KM) Personnel and its subsidiaries and affiliates. Responsibility for compliance with this Policy and the related internal controls, ethics and compliance programs or measures is the duty of individuals at every level of Kabul Municipality. KM will endeavor in good faith to use its influence to the extent reasonable under the circumstances to require entities not controlled by KM but which operate on behalf of KM and/or under the KM brand (e.g. Sub-contractors) to adopt and implement policies and internal controls of their own that minimize the risk of violation of the anti-corruption laws relating to KM's mandate and activities.

3. Policy

BRIBES, KICKBACKS OR OTHER CORRUPT PAYMENTS

Bribery is committed when an inducement or reward is provided in order to gain any commercial, contractual, regulatory or personal advantage for KM or another party.

It is the policy of KM that, in performing its tasks anywhere in Kabul City, all affiliates, employees, officers and directors of KM or any of its affiliates, and all persons that act as a representative, agent, or advisor to KM or any of its affiliates, must comply fully with applicable anti-corruption laws. KM employees are prohibited from directly or indirectly offering, giving, soliciting or receiving any form of bribe, kickback or other corrupt payment, or anything of value, to or from any person or organization, including government agencies, individual government officials, private companies and employees of those private companies under any circumstances.

It is not permitted to establish accounts or internal budgets for the purpose of facilitating bribes or influencing transactions (slush funds).

No employee will be penalized for any delay or loss of business resulting from his or her refusal to pay a bribe.

This policy does not prohibit the following practices providing they are customary in a particular market, or are proportionate and are properly recorded:

- Normal and appropriate hospitality (given or received)
- The giving of a ceremonial gift on a festival or at another special time

BOOKS, RECORDS AND DUE DILIGENCE



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Office Accounts – The KM shall maintain complete and accurate financial records, ensuring that all transactions are properly, accurately and fairly recorded in its books and records. The book entries must be clear and accurate. Obscuring or euphemistic language must be avoided.

THIRD PARTIES

This policy prohibits corrupt offers, promises and payments made through partners, intermediary agents or third parties. Therefore, it is important to conduct due diligence on such partners or agents, and not disregard or ignore facts which indicate a probability that a corrupt payment may occur. The purpose of due diligence is to ensure, to the extent possible, that KM retains only reputable and honest representatives and partners. In addition, contracts with agents or third-party representatives and joint venture partners should, to the extent possible, include provisions to mitigate against the risk of potential illicit payments.

Relationships with Representatives - Selecting and Vetting Representatives (subcontractors) is key to minimize the risk that KM will be held responsible for unauthorized actions of Representatives that violate the anti-corruption laws.

The KM will engage in and document due diligence regarding the Representative's background. This due diligence shall be designed to reasonably gauge the level and nature of anti-corruption risk posed by the Representative.

Contracts with Representatives – The KM has an obligation to be knowledgeable about the activities undertaken by Representatives on KM's behalf and shall have written contracts with these Representatives.

Follow-up on Representatives -- Once the contractual relationship commences with a Representative, KM will monitor the Representative's performance to satisfy itself that it is in accordance with the contract. This may include communications, certifications, periodic performance reviews, and audits. Documentation of these procedures and other information collected during the contractual relationship should be retained for a reasonable time after the relationship has concluded.

OTHER PROVISIONS AND CONDITIONS

Auditing and Monitoring – KM shall periodically audit and monitor compliance with this Policy. KM Personnel and Representatives may be required to execute certifications of policy compliance.

Annual Risk Assessment– KM shall conduct periodic risk assessments to assess changing conditions in each Department/ Directorate, line of business and ongoing relationships with third parties, affiliates, and the like.

Hiring Employees or Family Members of Clients -- From time to time KM may offer internships, employment or similar positions to employees or family members of clients for the purposes of building existing relationships and identifying talent. However, all hiring decisions should be made on the merits, and be based on the qualifications of the candidate for the



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position, and making any such offer in order to gain an improper business advantage is strictly prohibited.

To mitigate the risk that authority will be vested in a person not trustworthy to act responsibly, KM should conduct reference and/or background checks on all candidates for management positions (including property and procurement managers), and certain other positions as may be determined by the senior management.

Communication and Training - KM will periodically issue written communications to employees in order to promote awareness of and engagement with, as well as demonstrate top-level commitment to, this Policy. An appropriate level of anti-corruption training will be provided to employees based on a risk assessment of needs relative to job function.

Further Guidance -- Inevitably, decisions as to what is acceptable may not always be easy, particularly in the absence of minimum legal standards or where they are poorly enforced. If anyone is in doubt as to whether a potential act constitutes bribery/corruption, the matter should be referred to their immediate manager/ supervisor.

4. Consequences of Violations

Reporting Violations

The prevention, detection and reporting of bribery and corruption is the responsibility of all employees throughout KM. Suitable channels of communication by which employees or others can report confidentially any suspicion of bribery will be maintained and employees may use the confidential hotline which will be created to monitor the progress of this policy.

KM Personnel who become aware of a possible violation of this Policy or the anti-corruption laws or who are subjected to any form of extortion or are asked to participate in a bribery or kickback scheme must report it.

Retaliation is Not Tolerated -- KM prohibits retaliation against any person who in good faith raises questions or concerns, reports a violation or assists in an investigation under this Policy. No KM Personnel will suffer demotion, penalty or other adverse employment action as a result of not paying or agreeing to pay Bribes or Kickbacks.

No Undue Pressure – No manager or supervisor may ask, pressure, require or encourage any KM Personnel to violate this Policy. Following a superior's orders will not excuse any such violation.

Investigations -- If a report regarding violation of this Policy is received, it will be investigated and documented in accordance with KM's approved investigation procedures, and appropriate action based on the findings of such investigation will be taken. KM Personnel are expected to provide full cooperation and truthful answers in an investigation and failure to do so will result in disciplinary actions, up to and including termination.

Disciplinary Action -- Any employee who violates the law, this Policy or any related policy or procedure will be subject to appropriate disciplinary action, up to and including termination. In addition, KM may choose or be required to report violations to law enforcement or other



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regulatory agencies, and KM Personnel should be aware that individuals are held personally accountable under the anticorruption laws.

5. Evaluation Criteria

The success of this Policy will be measured by

- a. Proper documentations and positive audit results;
- b. The reduction in the number of complaints raised through the media and citizen

6. Policy Enforcement

The contents of this policy are enforceable after His Excellency the Mayor's approval.